



210 N. Bassett St, Suite 215 / Madison, WI 53703 / 608 255-4260 / www.wisdc.org

MUR # 5826

September 26, 2006

Office of the General Counsel
Federal Election Commission
999 E Street, N.W.
Washington DC 20463

Re: Mark Green for Congress (Committee ID: C00327874)

Dear Sir/Madam:

Enclosed for filing are the original and three copies of a complaint involving the committee referenced above. Please contact me if you have any questions.

Sincerely,

Mike McCabe
Executive Director
Wisconsin Democracy Campaign Education Project

FEDERAL ELECTION
COMMISSION
OFFICE OF GENERAL
COUNSEL

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BEFORE THE FEDERAL ELECTION COMMISSION

In the matter of:

Mark Green for Congress
(Committee ID: C00327874)

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FEDERAL ELECTION
COMMISSION
OFFICE OF GENERAL
COUNSEL

Complaint

Now comes the Wisconsin Democracy Campaign Education Project by its executive director, Mike McCabe, of 210 North Bassett Street, Madison, Wisconsin 53703, with a complaint pursuant to the Bipartisan Campaign Finance Reform Act against Mark Green for Congress that states the following:

1. Mark Green is a member of Congress in the Eighth District of Wisconsin.
2. Mark Green for Congress was the principal campaign committee for Mark Green.
3. Congress passed the Bipartisan Campaign Reform Act (BCRA) in 2002. It included four permitted uses of federal campaign funds. None of those included making contributions, transfers or conversions to state campaign committees. The four permitted uses under BCRA were:
 - a) for otherwise authorized expenditures in connections with the campaign for federal office of the candidate or individual;
 - b) for ordinary and necessary expenses incurred in connection with duties of the federal office holder;
 - c) for contributions to an organization described in section 170(c) of Title 26;
 - d) for unlimited transfers to a national, state or local political party committee.
4. A series of opinions by the Federal Election Commission said the four enumerated uses were the only allowed uses of federal campaign funds (Advisory Op. FEC 2003-26, Advisory Op. FEC 2004-3).
5. Congress amended BCRA on November 20, 2004 by adding two additional allowed uses of federal campaign funds. The amendments became effective December 8, 2004. A fifth provision allowed the use of federal campaign funds for donations to state and local candidates subject to the provisions of state law (2 U.S.C. 439a.(a) (2004).
6. In Wisconsin, a committee is limited by law to the amounts it can contribute to state and local campaigns. A committee may contribute no more than \$43,128 to candidate campaign committee for governor in a four-year election cycle (Wis. Stat. Ch. 11). The current four-year cycle for governor in Wisconsin is January 1, 2003 through December 31, 2006.

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7. On January 25, 2005, Mark Green for Congress converted \$1,285,973.68 to a state committee called Green for Wisconsin in order to run for governor.

8. Neither 2 U.S.C. 439a.(a) nor Wis. Stat. Ch. 11 allow the conversion of federal campaign funds to a state campaign fund. Mark Green for Congress was only permitted to donate to a state campaign subject to the provisions of Wisconsin law which limit that donation to \$43,128.

REQUEST FOR RELIEF

Based on the foregoing, the Wisconsin Democracy Campaign Education Project requests that the Federal Election Commission investigate this violation and determine as a matter of law that Mark Green for Congress has violated the regulations of the Federal Election Commission and the Bipartisan Campaign Reform Act.

Further, the Wisconsin Democracy Campaign Education Project requests the Federal Election Commission to require that all but \$43,128 of the \$1,285,973.68 in funds transferred from Mark Green for Congress to Green for Wisconsin be transferred back to Mark Green for Congress.

Further, the Wisconsin Democracy Campaign Education Project requests the Federal Election Commission to assess all appropriate penalties for said violation.

The above statements are true and accurate to the best of my knowledge, information and belief.

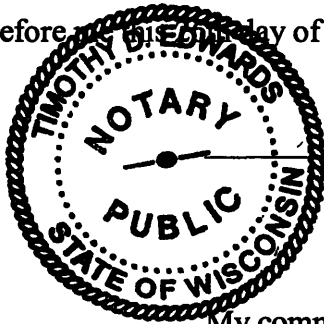
Respectfully submitted,

Wisconsin Democracy Campaign Education Project

Dated: September 26, 2006


Mike McCabe, Executive Director

Signed and sworn to before me this 26th day of September, 2006




(Notary Public)

My commission expires: is permanent

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